

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

LARRY GREEN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 10-CV-250-GKF-PJC
)	
DHS, and BETTY BROWN,)	
)	
Defendants.)	

OPINION AND ORDER

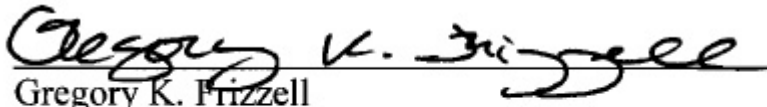
Before the court is plaintiff Larry Green's Motion for Appointment of Counsel [Dkt. #4].

There is no constitutional right to appointed counsel in a civil case. *Griffin v. Kelly*, 297 Fed.Appx. 760 (10th Cir. 2008); *MacCuish v. United States*, 844 F.2d 733, 735 (10th Cir. 1988); *see also Caruth v. Pinkney*, 683 F.2d 1044, 1048 (7th Cir. 1982) (collecting cases so holding). However, the court may request an attorney to represent any person unable to afford counsel. 28 U.S.C. § 1915(e)(1). In deciding whether to appoint counsel, the court considers factors including the merits of the litigant's claims, the nature of the factual issues raised in the claims, the litigant's ability to present his claims, and the complexity of the legal issues raised by the claims. *Rucks v. Boergermann*, 57 F.3d 978, 979 (10th Cir. 1995).

After considering the factors as they relate to Mr. Green's allegations, the court concludes the motion should be granted. The court hereby appoints Piper Turner, Esq. and Paul DeMuro, Esq. of Frederic Dorwart, Lawyers to represent Mr. Green in this case. Pursuant to this court's established policy, out-of-pocket expenses may be reimbursed from the court's bar fund up to \$2,500.

WHEREFORE, Plaintiff's Motion for Appointment Counsel [Dkt. #4] is granted.

IT IS SO ORDERED this 26th day of May 2010.

A handwritten signature in black ink, reading "Gregory K. Frizzell". The signature is written in a cursive, flowing style. The first name "Gregory" is written with a large, prominent "G". The last name "Frizzell" is written with a long, sweeping "l" that extends to the right. The middle initial "K." is written in a smaller, more compact script between the first and last names.

Gregory K. Frizzell
United States District Judge
Northern District of Oklahoma